

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAVID A. BAUMANN,

Petitioner,

v.

GLOBAL FINISHING SOLUTIONS, LLC,

Respondent.

ORDER

08-cv-760-slc

This is a civil action in which petitioner alleges that respondent violated his rights under the Americans with Disabilities Act when it terminated petitioner's employment because he suffers from an anxiety disorder. Petitioner has asked for leave to proceed *in forma pauperis* and has supported his request with an affidavit of indigency.

The standard for determining whether petitioner qualifies for indigent status is the following:

- From petitioner's annual gross income, the court subtracts \$3400 for each dependent excluding the petitioner.
- If the balance is less than \$15,000, the petitioner may proceed without any prepayment of fees and costs.
- If the balance is greater than \$15,000 but less than \$28,000, the petitioner must prepay half the fees and costs.
- If the balance is greater than \$28,000, the petitioner must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, petitioner has no dependents. His monthly income is \$3800, which makes his annual income \$45,600. Petitioner does not have any unusual debts. Therefore, petitioner

does not qualify for indigent status. If he wishes to proceed with this action, he will have to pay the \$350 filing fee.

ORDER

IT IS ORDERED that petitioner's request for leave to proceed *in forma pauperis* in this action is DENIED because petitioner does not qualify for indigent status.

Further, IT IS ORDERED that petitioner may have until January 23, 2009, in which to pay the \$350 fee for filing his lawsuit. If, by January 23, 2009, petitioner fails to respond to this order, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 2nd day of January, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge